

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.317 of 2017

In
CIVIL REVISION No.99 of 2012

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Sri Bajrangi Kumar and Ors

... .. Petitioner/s

Versus

Sri Deepak Prasad Sinha and Ors

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 12-08-2022

Re:- MJC No. 317 of 2017

Heard the parties.

This application has been filed for restoration of Civil Revision No. 93 of 2012, which was dismissed for default on 05.08.2015.

For the reasons mentioned in this application, it is allowed and Civil Revision No. 93 of 2012 is restored to its original file.

Re:- Civil Revision No. 93 of 2012

The present civil revision application has been filed against the order dated 10.01.2012 by Learned Munsif – II, Patna in Misc. Case No. 01 of 2011 by which the learned Munsif – II has allowed the judgment and decree passed on 14.08.2004 in Title Suit No. 3/ 2003 and has restored Misc. Case No. 01 of



2011 on the ground that the defendants had no knowledge of the order dated 14.08.2004 which was passed behind their back.

It has further been held by learned Munsif- II that the plaintiff got filed a forged and fabricated *Vakalatnama* on behalf of the defendants, who was petitioner in the Misc. Case and therefore a case for restoration of the title suit was made out.

After having gone through the records of the case, this Court does not find it a fit case for interference under the revisional jurisdiction as there is no material to show that the learned Munsif – II has exercised his jurisdiction not vested in it by law or he has failed to exercise jurisdiction so vested or he has acted in exercise of its jurisdiction illegally and with material irregularity.

This Civil Revision Application No. 93 of 2012 is dismissed.

Let the order be communicated to the Court below forthwith so that the Court below will proceed in Title Suit No. 3 of 2003 and disposed of the same as early as possible.

(Sandeep Kumar, J)

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